

Article 9: Construction Permits

Division 5: Demolition/Removal Permit Procedures

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§129.0501 Purpose of Demolition/Removal Permit Procedures

The purpose of these procedures is to establish the process for review of Demolition/Removal Permit applications for compliance with the minimum standards necessary to safeguard public health, safety, and welfare. The intent of these procedures is to protect the public against personal injury or property damage and to insure completion of the demolition or removal and cleanup of the site.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§129.0502 When a Demolition/Removal Permit Is Required

No person shall demolish, cause to be demolished, or remove any *structure* unless a valid Demolition/Removal Permit has been issued and is in effect for that *structure*, except as exempted from this requirement in Section 129.0503.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§129.0503 Exemptions from a Demolition/Removal Permit

- (a) A demolition/removal permit is not required to demolish or remove any structure that is exempt from a building permit in accordance with Section 129.0203.
- (b) A Demolition/Removal Permit is not required to demolish the following:
 - (1) A one-story frame *structure* that is 500 square feet or less in area, unless the *structure* has been determined to be a contributing element to a designated *historical structure* or site;
 - (2) A temporary construction shed or office; or
 - (3) A temporary tract or *subdivision* office for which a temporary *construction permit* had been previously issued.

- (c) A Demolition/Removal Permit is not required to demolish only a part of a *structure*. A partial demolition may require a Building Permit in accordance with Chapter 12, Article 9, Division 2.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§129.0504 How to Apply for a Demolition/Removal Permit

An application for a Demolition/Removal Permit shall be submitted in accordance with Sections 112.0102 and 129.0105.

- (a) If the demolition is for a *multiple dwelling unit structure* containing four or more units, the *applicant* shall certify on the application that each tenant who may be affected by the proposed demolition has been notified of the owner's intent to apply for a Demolition/Removal Permit. The form of the notice shall be prescribed by the Building Official. Service of the notice shall be by U.S. Mail or by personal delivery.
- (b) The Building Official may waive the Demolition/Removal Permit fee, and bond, public liability, and damage insurance fees for demolition of a *structure* that is two *stories* or less in height and has been declared by a government authority to be unsafe or a *public nuisance*. A copy of the letter of declaration from the government authority must be presented when applying for the Demolition/Removal Permit. Workers' compensation insurance requirements still apply even if fees are waived.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§129.0505 Decision Process on a Demolition/Removal Permit

A decision on an application for a Demolition/Removal Permit shall be made by the Building Official in accordance with Process One. The Demolition/Removal Permit shall be approved if the Building Official finds that the work described in the permit application, plans, specifications, and other data, complies with the requirements of the Land Development Code, other applicable laws and ordinances and any applicable *development permit*.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§129.0506 Issuance of a Demolition/Removal Permit

- (a) A Demolition/Removal Permit may be issued after all required approvals and documentation have been obtained and the required fees have been paid. In addition to plan check approvals, other documentation may be required before permit issuance, in conformance with the requirements of the Land